

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CRIMINAL ACTION NO. 5:05-CR-00257-KDB-DCK**

UNITED STATES OF AMERICA,

v.

DERRICK RAYSHAWN PARKS,

Defendant.

ORDER

THIS MATTER is before the Court on Defendant Derrick Rayshaw Parks' motion for compassionate release and reduction in sentence under 18 U.S.C. § 3582(c)(1) and the First Step Act of 2018. (Doc. No. 205). The Government opposes the motion in Doc. No. 208 to which counsel for Defendant replied in Doc. No. 209. This matter is ripe before the Court. Having carefully reviewed the motions, reply and exhibits, and all other relevant portions of the record, the Court will **GRANT** Parks' motion.

The Court does not accept that each ground asserted, alone or in a combination not uniquely presented here, would constitute extraordinary and compelling reasons for compassionate release, but does agree with the crux of Defendant's argument that his continued incarceration constitutes an extremely unwarranted sentencing disparity with his more or equally culpable co-conspirators. Further, the § 3553(a) factors weigh in favor of a time-served sentence, Defendant's rehabilitative successes are extraordinary, and his release plan is more than satisfactory.

The Court hereby orders that Defendant's term of imprisonment and commitment to custodial authorities is reduced to an aggregate sentence of **TIME SERVED PLUS FIVE (5) DAYS.**

The Court further **ORDERS** that the Defendant upon release from imprisonment, shall be placed on supervised release for a term of 10 years on Count 1.

All other terms and conditions of Defendant's sentence remain in full force and effect.

IT IS SO ORDERED.

Signed: March 15, 2023



Kenneth D. Bell
United States District Judge

